

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO,

as representative of

THE COMMONWEALTH OF PUERTO
RICO, *et al.*,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

Re: ECF No. 20467

**DEVTECH'S UNOPPOSED MOTION FOR LEAVE TO EXTEND THE DEADLINE TO
FILE A VERIFIED STATEMENT IN COMPLIANCE WITH REQUIREMENTS UNDER
THE PUERTO RICO RECOVERY ACCURACY IN DISCLOSURES ACT**

To the Honorable United States District Judge Laura Taylor Swain:

DevTech Systems, Inc. (“DevTech”) respectfully submits this motion for leave (the “Motion”) requesting entry of an order extending the time for DevTech to file its verified statement (the “Verified Statement”) pursuant to the disclosure requirements set forth in the *Puerto Rico Recovery Accuracy in Disclosures Act*, Pub. L. No. 117- 82 (“PRRADA”) and rule 2014(a) of the Federal Rules of Bankruptcy Procedure and in accordance with this Court’s directive in its *Order Approving List of Material Interested Parties Pursuant to the Puerto Rico Recovery*

¹ The Debtors in these Title III cases, along with each Debtor’s respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808), (iv) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474), (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747), and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523 (LTS)) (Last Four Digits of Federal Tax ID: 3801).

Accuracy in Disclosures Act (the “Order”) [ECF No. 20467]. In support of this Motion, DevTech respectfully states as follows:

BACKGROUND

1. On February 22, 2022, the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”) filed its *Motion of Financial Oversight and Management Board for Puerto Rico Requesting Order Approving Proposed List of Material Interested Parties Pursuant to the Puerto Rico Recovery Accuracy in Disclosures Act* [ECF No. 20194] (the “PRRADA Motion”), seeking Court approval of a list of material interested parties attached thereto as Exhibit A in compliance with this Court’s *Order Concerning Compliance with the Puerto Rico Recovery Accuracy in Disclosures Act* [ECF No. 19980].

2. On March 29, 2022, the Oversight Board filed the *Notice of Amended List of Material Interested Parties Pursuant to Puerto Rico Recovery Accuracy in Disclosures Act* [ECF No. 20458], which attached a list of material interested parties with respect to all Title III debtors as Exhibit A thereto (the “Amended MIP List”). The Amended MIP List separated the material interested parties in separate schedules for each of the Title III debtors.

3. On March 30, 2022, this Court entered the Order approving the Amended MIP List and directing all professionals included in the Amended MIP List to file the disclosures required under PRRADA by May 16, 2022. On June 24, 2022, the Court extended the PRRADA disclosure deadline through July 15, 2022, for parties that did not comply with the May 16, 2022 deadline [ECF No. 21334].

4. On August 23, 2022, the Court entered the *Order to Show Cause Regarding Non-Compliance with the Puerto Rico Recovery Accuracy in Disclosures Act and the Court’s Orders Related Thereto* (the “Order to Show Cause”) [ECF No. 21902]. On August 30, 2022, DevTech

filed a response to the Order to Show Cause [ECF No. 21985], in which it explained that on July 1, 2019, DevTech and counsel for the court-appointed fee examiner, Godfrey & Kahn S.C., agreed that because the services provided by DevTech are not directly related to the Title III cases, DevTech is not obligated to participate in the Title III fee review process and is not required to file fee applications to be compensated by the Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”).

5. On September 6, 2022, the Court entered its *Order Concerning Non-Compliance with the Puerto Rico Recovery Accuracy in Disclosures Act and the Court’s Orders Related Thereto* (the “September 6 Order”) [ECF No. 22062], in which it reminded DevTech that all fees and expenses paid to it are subject to disgorgement until final allowance by the Court and that the “Puerto Rico Oversight, Management, and Economic Stability Act, as amended by PRRADA, prohibits compensation to professionals that have not filed the disclosures required by PRRADA, and permits the Court to deny allowance of compensation or reimbursement of expenses if a professional has failed to file required disclosures prior to filing a fee application on or after January 20, 2022, regardless of when services were rendered by a particular professional.”

6. Upon the Court’s September 6 Order, DevTech began preparing its Verified Statement to comply with PRRADA and this Court’s orders, but needs additional time to finalize and file such Verified Statement. Accordingly, DevTech respectfully requests a short extension until September 21, 2022 in which to finalize and file its Verified Statement.

7. Prior to filing this Motion, the undersigned advanced a copy of it to the United States Trustee’s Office, which did not oppose the filing of this Motion.

RELIEF REQUESTED

8. WHEREFORE, DevTech respectfully requests that this Court enter an order permitting it to file its Verified Statement by September 21, 2022, and granting all other relief that this Court deems just and proper.

Dated: September 8, 2022
Arlington, Virginia

Respectfully submitted,

DEVTECH SYSTEMS, INC.

/s/Rafael Romeu _____

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